

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of: Hanno SYRBE	Confirmation No.: 9281
Application No.: 10/539,170	Group Art Unit: 2617
Filed: December 30, 2005	Examiner: Fred A Casca

For: METHOD FOR HANDLING LOCATION DATA

Commissioner for Patents
Alexandria, VA 22313-1450

APPEAL BRIEF

Dear Sir:

This Appeal Brief is submitted in support of the Notice of Appeal dated December 2, 2009.

I. REAL PARTY IN INTEREST

The real party in interest is Nokia Corporation, a corporation organized under the laws of Finland and having a place of business at Keilalahdentie 4, FIN-02150 Espoo, Finland. The above referenced patent application is assigned to Nokia Corporation.

II. RELATED APPEALS AND INTERFERENCES

Appellant is unaware of any related appeals and interferences.

III. STATUS OF THE CLAIMS

Claims 1-3 and 5-27 are pending in this appeal, in which claim 4 has been previously canceled. No claim is allowed. This appeal is therefore taken from the final rejection of claims 1-3 and 5-27 on September 2, 2009.

IV. STATUS OF AMENDMENTS

All amendments have been entered.

V. SUMMARY OF THE CLAIMED SUBJECT MATTER

The claimed invention addresses problems associated with a method, application, and device for creating a collection of selected geographical positions that have been visited by the device. The claimed invention is easier to use than prior art systems because it employs a single key or input to store geographical positions of interest, by adding the position of interest to a collection of geographical positions through the press of a single button while located at the position of interest, with no need to be in connection with a server or remote device.

Independent claim 1 recites the following:

1. A method comprising:

creating a collection of selected geographical positions using a mobile terminal having a geographical position system and a memory for containing the collection of selected geographical positions (See, e.g., Specification, page 3, line 20-page 4, line 5; page 11, line 19-page 13, line 3; Figs. 3, 4.1-4.4), the method further comprising:

automatically obtaining or determining the current geographical position of the mobile terminal using information received from the geographical position system (See, e.g., Specification, page 3, line 20-page 4, line 5; page 12, lines 4-17; Figs. 3, 4.1-4.4); and storing the current geographical position in the memory upon detection of a input to store the current geographical position (See, e.g., Specification, page 3, line 20-page 4, line 5; page 13, line 5-page 14, line 5; Figs. 3, 4.1-4.4);

wherein said mobile terminal has a plurality of operating modes including one recording mode in which a single key activation on the mobile terminal causes the current geographical position to be stored (See, e.g., Specification, page 3, line 20- page 4, lines 5, 20-23; page 12, lines 3-10; Figs. 1, 3, softkey 9-single key).

Independent claim 14 recites the following:

14. A mobile terminal comprising:

at least one processor for obtaining or determining a current geographical position from information automatically received from a geographical position system in the mobile terminal (See, e.g., Specification, page 3, line 20-page 4, line 5; page 6, line 30-page 6a, line 15; page 19, line 5-page 10, line 30; Fig. 2, processor 18),
a memory for storing selected geographical positions (See, e.g., Specification, page 6a, lines 5-7; page 9, lines 5-20; Fig. 2, RAM 17a),
a user interface (See, e.g., Specification, page 9, line 17; page 10, line 8; Fig. 2); and
a processor for storing the current geographical position in the memory upon a detection of a store input (See, e.g., Specification, page 3, line 20- page 4, lines 5, 20-23; page 6a, lines

13-15; page 12, lines 3-10; page 19, line 5-page 10, line 30; Fig. 2, processor 18; Figs. 1, 3 softkey 9-store input).

Independent claim 23 recites the following:

23. A processor encoded with software for creating a collection of selected geographical positions on a mobile terminal having a geographical position system (See, e.g., Specification, page 3, line 20-page 4, line 5; page 11, line 19-page 13, line 3; Figs. 3, 4.1-4.4) and a memory for containing the collection of selected geographical positions (See, e.g., Specification, page 9, lines 5-20; Fig. 2, RAM 17a), the processor comprising instructions, which when executed, are configured to:

obtain or determine the current geographical position of hand portable device from information automatically received from the geographical position system (See, e.g., Specification, page 3, line 20-page 4, line 5; page 12, lines 4-17; Figs. 3, 4.1-4.4); and store the obtained position in the memory (See, e.g., Specification, page 3, line 20-page 4, line 5; page 13, line 5-page 14, line 5; Figs. 3, 4.1-4.4) upon detection of a single key input (See, e.g., Specification, page 3, line 20-page 4, lines 5, 20-23; page 12, lines 3-10; Figs. 1, 3, softkey 9-single key input), wherein said hand portable device has a plurality of operating modes including one recording mode in which the single key activation on the hand portable device causes the current geographical position to be stored (See, e.g., Specification, page 4, lines 5, 20-23, 25-30).

VI. GROUND OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1-3, 7, 8, 13-16, 19-21, and 23 were finally rejected for obviousness under 35 U.S.C. § 103(a) based on *Tanaka et al.* (US 6,477,461) in view of *Veerasamy et al.* (US 2004/0203855) and *Marwell et al.* (US 2002/0196922).

Claims 5, 6, 12, 17, 18, 22, and 24-27 were finally rejected for obviousness under 35 U.S.C. § 103(a) based on *Tanaka et al.* (US 6,477,461) in view of *Veerasamy et al.* (US 2004/0203855), *Marwell et al.* (US 2002/0196922), and “well known prior art.”

Claims 9-11 were finally rejected for obviousness under 35 U.S.C. § 103(a) based on *Tanaka et al.* (US 6,477,461) in view of *Veerasamy et al.* (US 2004/0203855), *Marwell et al.* (US 2002/0196922), and *Najafi* (US 2004/0203843).

VII. ARGUMENT

- A. **CLAIMS 1-3, 7, 8, 13-16, 19-21, AND 23 ARE NOT RENDERED OBVIOUS BY TANAKA ET AL. AND VEERASAMY ET AL. IN VIEW OF MARWELL ET AL. BECAUSE THE PROPOSED COMBINATION OF REFERENCES FAILS TO DISCLOSE CREATING A COLLECTION OF SELECTED GEOGRAPHICAL POSITIONS USING A MOBILE TERMINAL OR STORING A CURRENT GEOGRAPHICAL POSITION IN MEMORY UPON DETECTION OF A SINGLE KEY INPUT.**

The initial burden of establishing a *prima facie* basis to deny patentability to a claimed invention under any statutory provision always rests upon the Examiner. *In re Mayne*, 104 F.3d 1339, 41 USPQ2d 1451 (Fed. Cir. 1997); *In re Deuel*, 51 F.3d 1552, 34 USPQ2d 1210 (Fed. Cir. 1995); *In re Bell*, 991 F.2d 781, 26 USPQ2d 1529 (Fed. Cir. 1993); *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In rejecting a claim under 35 U.S.C. § 103, the Examiner is required to provide a factual basis to support the obviousness conclusion. *In re Warner*, 379 F.2d

1011, 154 USPQ 173 (CCPA 1967); *In re Lunsford*, 357 F.2d 385, 148 USPQ 721 (CCPA 1966); *In re Freed*, 425 F.2d 785, 165 USPQ 570 (CCPA 1970).

The Patent Office must give specific reasons why one of ordinary skill in the art would have been motivated to combine the references. See, e.g., *In re Kotzab*, 217 F.3d 1365, 1371, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000); *In re Rouffet*, 149 F.3d 1350, 1359, 47 USPQ2d 1453, 1459 (Fed. Cir. 1998).

Independent claim 1 recites, *inter alia*, “**storing** the current geographical position in the memory **upon detection of a input** to store the current geographical position; wherein said mobile terminal has a plurality of operating modes including one recording mode in which a **single key activation** on the mobile terminal causes the current geographical position to be stored.” Independent claim 14 recites, *inter alia*, “a processor for storing the current geographical position in the memory **upon a detection of a store input**.” Independent claim 23 recites, *inter alia*, “**store** the obtained position in the memory **upon detection of a single key input**, wherein said hand portable device has a plurality of operating modes including **one recording mode in which the single key activation** on the hand portable device **causes the current geographical position to be stored**.”

The Examiner acknowledged the absence of a single key input, a single key activation to store a current geographical position, and/or storing the current geographical position in the memory upon detection of an input to store the current geographical position in the combination of *Tanaka et al.* and *Veerasamy et al.*, and relied on *Marwell et al.* to provide for this claim feature.

At page 3 of the Final Action, without any further explanation of exactly what, in *Marwell et al.*, is relied on, the Examiner asserted “Marwell discloses a mobile terminal having a single

key activation on the mobile terminal that causes information to be stored.” Such a general assertion, without a citation to a specific portion of *Marwell et al.*, makes it difficult for Appellant to respond to the exact nature of the rejection since Appellant must guess as to what it is, in *Marwell et al.*, that the Examiner relied on.

However, to the extent that the Examiner relied on paragraphs [32] and [64] of *Marwell et al.*, these portions of the reference merely recite that an easy to remember telephone number, such as “*4, 44, and the like, may be employed by a user of a telephone to quickly complete a call, in place of a typical ten digit North American Dialing Plan number. Such reliance is flawed for various reasons. Not only is “4 or 44 not a “single key activation” (since at least two keys must be activated in the examples of *Marwell et al.*), but the activation of a key or keys as a short cut to dialing a longer telephone number (i.e., speed dialing) is far different from “single key activation on the mobile terminal [causing] current geographical position to be stored.” While single key activation, *per se*, for other purposes may or may not have been known, neither *Marwell et al.*, nor any of the other applied references, discloses or suggests a single key activation or a store input that causes a “current **geographical position** to be stored.” Moreover, the use of “*4” in *Marwell et al.* causes a telephone call to be made and does not cause the “storage” of anything. But, to whatever extent *Marwell et al.* may be considered to store some quantity based on some single key activation (and, as yet, the Examiner has not identified, in *Marwell et al.*, what that quantity or single key may be), the quantity stored is clearly not related to a “current geographical position,” as claimed, since *Marwell et al.* is clearly concerned, not with determining a current geographical location of a mobile terminal, but, rather, only with a personalized directory system whereby a list of personal contact data is populated and maintained. Therefore, the skilled artisan

would have had no reason to adapt any teaching of *Marwell et al.* to employ a single activation of a key in *Tanaka et al.* and/or *Veerasamy et al.* to store a “current geographical position.”

Further, the Examiner’s reliance on *Tanaka et al.* is misplaced because *Tanaka et al.* does not disclose or suggest creating a collection of selected geographical positions using a mobile terminal, as claimed. Rather, *Tanaka et al.* discloses a “search list” (e.g., col. 3, lines 11-20), whereby a user searches for a target location through the use of an alphabet-based list. While this is very helpful in the system of *Tanaka et al.*, wherein a map displays the present location and travel route, allowing the “search list” to help in the travel route, *Tanaka et al.* has no need for, and does not disclose “creating a collection of selected geographical positions using a mobile terminal,” as claimed. While *Tanaka et al.* registers a new location, by manipulating operation switches 7 in order to specify the new location, this new location is specified on the map displayed by the display unit 9 and registered as a memory location (col. 3, lines 20-25). This is much different than **automatically** obtaining or determining and storing the current geographical location, as recited in the claims on appeal. *Tanaka et al.* was cited at page 1, lines 18-30 of the instant specification, where it was explained that users “can input a new location for registrations **manually** by specifying a new location on a map” and that while new location data may be stored in a rewritable memory, such storage is not effected by a single key activation. *Tanaka et al.* does determine a current position; but there is no disclosure therein relating to creating a collection of selected geographical positions using a mobile terminal. Neither *Veerasamy et al.* nor *Marwell et al.* cures this deficiency of *Tanaka et al.*

While *Veerasamy et al.* discloses a determination and storage of current mobile station position information when a call is dropped, there is no disclosure therein of creating a collection of selected geographical positions using a mobile terminal, as claimed. Accordingly, no

combination of *Tanaka et al.*, *Veerasamy et al.*, and/or *Marwell et al.* results in creating a collection of selected geographical positions using a mobile terminal.

Still further, the proposed combination of references is improper.

While the cited references have some elements in common, *Tanaka et al.* is directed to a registering new locations in a geographical **navigation system**, *Veerasamy et al.* is directed to identifying coverage holes in a **wireless network**, and *Marwell et al.* is directed to a **personalized directory assistance system**. The person of ordinary skill in the art would not have been led to modify the registration system of *Tanaka et al.* by looking to such diverse systems as coverage hole identification and directory assistance. For example, only impermissible hindsight gleaned from Appellant's disclosure would have led the skilled artisan to take a teaching of a speed dialing key for quickly calling a desired telephone number (as in *Marwell et al.*) and apply that in some unexplained manner in *Tanaka et al./Veerasamy et al.* in order to achieve storage of a "current geographical position" via a single activation of a key. Nothing in the proposed combination of references even remotely suggests this claim feature. In accordance with *KSR Int'l Co. v. Teleflex, Inc.*, 127 S. Ct. 1727, 82 USPQ2d 1385(2007), the Examiner must present "articulated reasoning with some rational underpinnings" in order to support a rejection under 35 U.S.C. § 103(a). The Examiner clearly has not done so in the instant case by merely asserting, as a generalization, in a broad-based, conclusory statement having no factual support, that it would have been obvious "to modify the method of Tanaka in the format claimed for the purpose of providing an efficient geographical navigational system" (Final Action-page 3). A mere desire to provide an "efficient geographical navigational system" falls far short of the "articulated reasoning with some rational underpinnings" required by the U.S. Supreme Court in order to support a rejection under 35 U.S.C. § 103(a). Efficiency, *per se*, is a

desirable trait in just about all systems, but this does not even begin to explain why the skilled artisan would have sought such “efficiency” in a *Tanaka et al./Veerasamy et al.* combination by storage of a “current geographical position” via a **single** activation of a key, nor does it explain how/why the skilled artisan would have been led to employ such a single key activation in order to effect storage of a “current geographical position.”

Even the Examiner’s proposed combination of *Tanaka et al.* and *Veerasamy et al.* is suspect, within the meaning of 35 U.S.C. § 103(a), regardless of the teaching of *Marwell et al.* Since *Tanaka et al.* is directed to a navigation system, while *Veerasamy et al.* is directed to identifying coverage holes in a wireless network, with no possible connection to a navigation system, the artisan of ordinary skill in the art of navigation systems for mobile terminals would not have looked to *Veerasamy et al.* to provide any modifications to the navigation system of *Tanaka et al.* The mere storage of current position information in a memory of a mobile unit in *Veerasamy et al.* would not have been suggestive of the novel manner, as claimed, of storing geographical position information.

Moreover, *Tanaka et al.* stores a plurality of locations and searches for target locations. If *Tanaka et al.* were modified, as per the teachings of *Veerasamy et al.*, whereby drop call locations are identified, *Tanaka et al.* would merely store those drop call locations, having nothing whatsoever to do with navigation, which is the concern of *Tanaka et al.* Since the storage of drop call locations in *Tanaka et al.* would defeat the purpose of navigation, or at least add unnecessary and superfluous information to the system of *Tanaka et al.* it is not a modification that those skilled in the art would have made to *Tanaka et al.* If a proposed modification would render the prior art being modified unsatisfactory for its intended purpose,

then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984).

Similarly, modifying *Tanaka et al.*, or a combined *Tanaka et al./ Veerasamy et al.*, with *Marwell et al.* would render *Tanaka et al.* unfit for its intended purpose of navigation because adding personalized directory assistance to *Tanaka et al.*, or a speed dial key for aiding in directory assistance, would have no relevance to the navigation with which *Tanaka et al.* is concerned.

Accordingly, no *prima facie* case of obviousness has been established with regard to the subject matter of claims 1-3, 7, 8, 13-16, 19-21, and 23. Appellant therefore submits that the imposed rejection of claims 1-3, 7, 8, 13-16, 19-21, and 23 as being obvious over the combination of *Tanaka et al.*, *Veerasamy et al.*, and *Marwell et al.* under 35 U.S.C. §103(a) is not factually or legally viable and, hence, solicit the Honorable Board to reverse the rejection.

B. CLAIMS 5, 6, 12, 17, 18, 22, AND 24-27 ARE NOT RENDERED OBVIOUS BY *TANAKA ET AL.*, *VEERASAMY ET AL.*, AND *MARWELL ET AL.* IN VIEW OF “WELL KNOWN PRIOR ART” BECAUSE THE ALLEGED “WELL KNOWN PRIOR ART” DOES NOT CURE THE DEFICIENCIES OF THE OTHER APPLIED REFERENCES, AS ARGUED ABOVE, I.E., CREATING A COLLECTION OF SELECTED GEOGRAPHICAL POSITIONS USING A MOBILE TERMINAL OR STORING A CURRENT GEOGRAPHICAL POSITION IN MEMORY UPON DETECTION OF A SINGLE KEY INPUT.

To whatever extent any “well known prior art” may disclose a mobile terminal for performing mathematical operations, statistical and/or probability analysis, and Appellant does not admit that it was known to perform such analysis on a collection of geographical positions, as collected in accordance with the instant claims, such “well known prior art” does not cure the

deficiencies of the other applied references in failing to provide for a collection of selected geographical positions using a mobile terminal and/or storing a current geographical position in memory upon detection of a single key input.

Accordingly, no *prima facie* case of obviousness has been established with regard to the subject matter of claims 5, 6, 12, 17, 18, 22, and 24-27. Appellant therefore submits that the imposed rejection of claims 5, 6, 12, 17, 18, 22, and 24-27 as being obvious over the combination of *Tanaka et al.*, *Veerasamy et al.*, *Marwell et al.*, and “well known prior art” under 35 U.S.C. §103(a) is not factually or legally viable and, hence, solicit the Honorable Board to reverse the rejection.

- C. **CLAIMS 9-11 ARE NOT RENDERED OBVIOUS BY *TANAKA ET AL.*, *VEERASAMY ET AL.*, AND *MARWELL ET AL.* IN VIEW OF *NAJAFI* BECAUSE *NAJAFI* DOES NOT CURE THE DEFICIENCIES OF THE OTHER APPLIED REFERENCES, AS ARGUED ABOVE, I.E., CREATING A COLLECTION OF SELECTED GEOGRAPHICAL POSITIONS USING A MOBILE TERMINAL OR STORING A CURRENT GEOGRAPHICAL POSITION IN MEMORY UPON DETECTION OF A SINGLE KEY INPUT.**

Najafi, applied for an alleged teaching of “a mobile phone capable of sending and receiving text messages, which includes a location determination device and the location information can be transmitted as text,” does not cure the deficiencies of the other applied references in failing to provide for a collection of selected geographical positions using a mobile terminal and/or storing a current geographical position in memory upon detection of a single key input.

Moreover, *Najafi* constitutes non-analogous art with respect to the other applied references and with respect to the instant claimed subject matter. *Najafi* is directed to a wireless

phone having an emergency beacon and is clearly non-analogous to the instant claimed subject matter directed to mapping (determining and storing) an exact location of a mobile terminal with a single operation (single key activation). The test for analogous art outside an inventor's field of endeavor is whether the art pertains to the particular problem confronting the inventor. *In re Clay*, 966 F.2d 656, 659, 23 USPQ2d 1058, 1060 (Fed. Cir. 1992). Clearly, *Najafi* is outside Appellant's field of endeavor. Moreover, *Najafi* does not pertain to the particular problem confronting Appellant since *Najafi* is not concerned with determining and storing an exact location of a mobile terminal with a single operation. The mere communication of text messages in a wireless network is not enough to have led the skilled artisan to make any combination of *Najafi* with the other applied references. Thus, the references are not combinable, within the meaning of 35 U.S.C. §103(a).

Accordingly, no *prima facie* case of obviousness has been established with regard to the subject matter of claims 9-11. Appellant therefore submits that the imposed rejection of claims 9-11 as being obvious over the combination of *Tanaka et al.*, *Veerasamy et al.*, *Marwell et al.*, and *Najafi* under 35 U.S.C. §103(a) is not factually or legally viable and, hence, solicit the Honorable Board to reverse the rejection.

VIII. CONCLUSION AND PRAYER FOR RELIEF

For the foregoing reasons, Appellant requests the Honorable Board to reverse each of the Examiner's rejections.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 504213 and please credit any excess fees to such deposit account.

Respectfully Submitted,

DITTHAVONG MORI & STEINER, P.C.

January 29, 2010
Date

/Phouphanomketh Ditthavong/
Phouphanomketh Ditthavong
Attorney for Applicant(s)
Reg. No. 44658

Errol A. Krass
Attorney for Applicant(s)
Reg. No. 60090

918 Prince Street
Alexandria, VA 22314
Tel. (703) 519-9952
Fax. (703) 519-9958

IX. CLAIMS APPENDIX

1. A method comprising:

creating a collection of selected geographical positions using a mobile terminal having a geographical position system and a memory for containing the collection of selected geographical positions, the method further comprising:

automatically obtaining or determining the current geographical position of the mobile terminal using information received from the geographical position system; and

storing the current geographical position in the memory upon detection of a input to store the current geographical position;

wherein said mobile terminal has a plurality of operating modes including one recording mode in which a single key activation on the mobile terminal causes the current geographical position to be stored.

2. A method according to claim 1, further comprising adding an attribute to the stored geographical position.

3. A method according to claim 1, wherein the mobile terminal comprises at least one key and a single key activation of the at least one key is used to store a present geographical position in the memory.

4. (Canceled)

5. A method according to claim 1, wherein the at least one processor is further configured to perform mathematical operations, and statistical and/or probability analysis on the collection of geographical positions.

6. A method according to claim 5, wherein the analysis comprises analysis of area related density of geographical positions, selectively within geographical positions with a given attribute or with attributes within a given group.

7. A method according to claim 1, wherein the mobile terminal is configured to communicate data to other terminals, comprising sending geographical positions stored in the memory to other terminals and/or receiving geographical positions from other terminals.

8. A method according to claim 7, wherein the mobile terminal has an RF or IR receiver/transmitter, further comprising the step of sending and/or receiving geographical positions via an RF or IR based communication channel.

9. A method according to claim 8, wherein the mobile terminal is a mobile phone or a communicator for use in a wireless cellular communication network and capable of sending and receiving text messages, further comprising the step of sending a text message including at least one geographical position from the memory, preferably including any associated attribute of the geographical position concerned, to one or more remote terminals.

10. A method according to claim 9, wherein said one or more remote terminals are mobile phones or communicators, and one of the mobile phones or communicators functions as a server with a database of geographical positions.

11. A method according to claim 10, wherein a server having a database containing geographical positions received from remote terminals is connected to the cellular network.

12. A method according to claim 5, further comprising generating a map for illustrating the result of the statistical and/or probability analysis, by generating and displaying a map of an area

with a given density or density range of geographical positions with a given attribute or with attributes within a given group.

13. A method according to claim 1, wherein the attribute comprises a time and date stamp and/or a sound file, and/or an image file, and or a motion video file, and/or a text file.

14. A mobile terminal comprising:

at least one processor for obtaining or determining a current geographical position from information automatically received from a geographical position system in the mobile terminal,

a memory for storing selected geographical positions,

a user interface; and

a processor for storing the current geographical position in the memory upon a detection of a store input.

15. A mobile terminal according to claim 14, further comprising that the at least one processor is configured to add an attribute to the stored geographical position.

16. A mobile terminal according to claim 14, further comprising a key, that in at least one operational mode of the mobile terminal, is configured to store the current geographical position to the memory with a single depression of the key.

17. A mobile terminal according to claim 15, further comprising that the at least one processor is configured to perform statistical and/or probability analysis on the stored geographical position.

18. A mobile terminal according to claim 17, further comprising a display and wherein the at least one processor is further configured to generate and display a map with selected stored geographical positions from the memory on the display.

19. A mobile terminal according to claim 14, further comprising an RF or IR transmitter/receiver for sending stored geographical positions from the memory to other terminals to other terminals or receiving geographical positions from other terminals.

20. A mobile terminal according to claim 14, the mobile terminal being a mobile phone or a communicator for use in a wireless cellular communication network and the at least one processor is configured to send and receive text messages that include at least one geographical position, and any attribute associated with the at least one geographical position.

21. A mobile terminal according to claim 14, wherein the processor for storing a current geographical position in the memory upon a user input executes instructions of a software application on the mobile terminal.

22. A mobile terminal according to claim 17, wherein the at least one processor is further configured to generate and display maps illustrating the result of the statistical and/or probability analysis.

23. A processor encoded with software for creating a collection of selected geographical positions on a mobile terminal having a geographical position system and a memory for containing the collection of selected geographical positions, the processor comprising instructions, which when executed, are configured to:

obtain or determine the current geographical position of hand portable device from information automatically received from the geographical position system; and store the obtained position in the memory upon detection of a single key input, wherein said hand portable device has a plurality of operating modes including one recording mode in which the single key activation on the hand portable device causes the current geographical position to be stored.

24. The method of claim 1 further comprising, after the current geographical position is stored, automatically providing a prompt to assign a name and category to the stored geographical location, and automatically assigning at least one position attribute to the stored geographical location upon detection of single key depression of a key associated with the prompt.

25. The method of claim 24 wherein the at least one position attribute comprises at least one of a source of geographical position data, coordinates, date, time or phone number.

26. The method of claim 24 further comprising providing a prompt for entry of a name for the stored geographical location and a category or subcategory of the stored geographical location.

27. The mobile terminal of claim 14 wherein the mobile terminal is a hand portable phone.

X. EVIDENCE APPENDIX

Appellant is unaware of any evidence that is required to be submitted in the present Evidence Appendix.

XI. RELATED PROCEEDINGS APPENDIX

Appellant is unaware of any related proceedings that are required to be submitted in the present Related Proceedings Appendix.